

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Howard Tim Davis,

Case No. 15-CV-3092 (SRN/BRT)

Plaintiff,

v.

ORDER

Rasheda Smith-Deloney and Marvin  
W. Deloney,

Defendants.

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The above-captioned case comes before the undersigned on the Report and Recommendation of United States Magistrate Judge Becky R. Thorson. No objections to the Report and Recommendation were filed within the requisite time period.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff Howard Tim Davis's complaint is SUMMARILY DISMISSED WITHOUT PREJUDICE under 28 U.S.C. § 1915(e)(2)(B)(ii).
2. Davis's application to proceed *in forma pauperis* [Doc. No.2] is DENIED.

Dated: September 15, 2015

s/Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Judge